



State of Arizona
Department of Education

Tom Horne
Superintendent of
Public Instruction

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USDA SP #29-2008

MEMORANDUM

TO: Sponsors of the National School Lunch Program

FROM: Mary Szafranski, Deputy Associate Superintendent
Arizona Department of Education, Health and Nutrition Services

Lee Renda, NSLP Nutrition Director
Lynn Ladd, NSLP Health Director
National School Lunch Program

Original Signed

DATE: July 11, 2008

SUBJECT: Cooperation with Federal Communications Commission's (FCC) E-Rate Audits

This memorandum provides guidance regarding the appropriateness of providing student eligibility information for Federal education programs (including household applications for the National School Lunch Programs) to the FCC's E-Rate fund auditors. USDA has determined that release of information to these auditors **is permitted** under section 9(b)(6) of the Richard B. Russell National School Lunch Act (NSLA).

USDA worked with the FCC to ensure that their audit protocols comply with the requirements of the NSLA. As long as the audit protocols below are followed, local educational agencies (LEAs) may share individual children's information with authorized FCC auditors. The applicable audit protocols include the following:

E-Rate Auditors

- cannot verify the accuracy of the LEA's determinations
- cannot contact the household, share or otherwise release individual information
- cannot retain personal student information
- can compare aggregate enrollment data with aggregate free and reduced price eligibility data

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- can select a small sample of eligible students, request their applications (which could include direct certification records)
- can confirm that an application or other documentation exists for each selected student

Additionally, the LEA is not required to, but may chose to remove or edit any information from the household application that does not directly show that the household has an approved application or other documentation on file.

Example: If the student is identified by his/her student number, the LEA may remove or edit the student's name, address, etc. as long as the student number and approved eligibility status would still be visible.

Background Information:

The FCC, through the Universal Service Administrative Company (USAC), administers the E-Rate program. Through the E-Rate program, schools can receive USAC discounts to obtain affordable telecommunication and Internet access based on the percentage of children who are approved for free and reduced price school meals. USAC has contracted with private firms to conduct audits of the schools that have received discounted rates through the E-Rate program.

Please contact your school health and nutrition specialist if you have any questions.

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